

TOWN OF LUNENBURG

Office of the Planning Board

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Gregory Bittner, Clerk
Kenneth Chenis, Mbr.
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Adam R. Burney
Land Use Director

Minutes
August 8, 2016

Meeting Posted: Yes

Place: Ritter Memorial Building, 960 Massachusetts Avenue, Lunenburg, MA

Time: 6:30 PM

Present: Matthew Allison, Damon McQuaid, Gregory Bittner, David Prokowiew, Adam R. Burney

Absent: Kenneth Chenis

DISCUSSION WITH BUILDING/ZONING OFFICIAL: Discussion was held between the Board and Mike Sauvageau, the Building/Zoning Official (hereinafter referred to as B/ZO) for the Town of Lunenburg. The Board wanted to become more knowledgeable as to the B/ZO's responsibilities, what the Board's boundaries are, and possible ways in which they could assist him.

There was lengthy discussion on Article 10 of the August 22, 2016 Special Town Meeting Warrant. Article 10 asks the citizens to vote to delete Section 4.12. of the Zoning Bylaw; Whalom Overlay District. The B/ZO had written a letter in September 2015 to the Land Use Director noting that the Board "...can approve any density of units with any number of bedrooms unless waivers are sought under Section 4.12.5.2." In another letter of June 2016, he notes that the property owner of a 3.5 acre parcel on Pond Street has requested the allowable density for her property. He informed her that a density of eight units per acre would be allowed on any lot within the Whalom Overlay District. M. Allison noted that when the Board asked for direction, the B/ZO letter of September 2015 stated it was at the Board's discretion, yet the letter of June 2016 notes eight units per acre.

The B/ZO opined that removal of the Whalom Overlay District can be considered spot zoning as only one individual benefited from the District. D. McQuaid noted that at a previous Board meeting, he was the one that had made the Motion to remove the Whalom Overlay District. He opined that removing it will not be considered spot zoning as no other developer has come forward with a project during the past ten years. A. Burney noted that both the Whalom Overlay District Bylaw and the zoning map change were approved by the Attorney General. Even though only one applicant has taken advantage of the Bylaw, that does not make it spot zoning. Spot zoning is specifically for a single landowner with no benefit to the neighborhood.

G. Bittner wanted to understand how the new Site Plan Approval fits in with what the Board and B/ZO do; e.g., where does the Board's authority end and the B/ZO's begin. The B/ZO noted that once the Board issues a decision, enforcement is up to the B/ZO. If a Board member sees something out of compliance, they should feel free to speak to him as a Lunenburg citizen. D. Prokowiew inquired of the B/ZO if he felt he had the "tools" he needed for enforcement. The B/ZO noted there were not many zoning issues in Town.

G. Bittner inquired if there is a process in place so applicants know what board/commission they need to go to depending on their application. A. Burney responded a possible "guidebook" being put in place after the Board has finished crafting a new definition and use table.

MINUTES APPROVAL: All minutes signed.

7/25/15, Motion, D. McQuaid, Second, D. Prokowiew

7/25/16, 1026 Northfield Road, Motion, D. McQuaid, Second, G. Bittner

7/25/16, Zoning Warrant Articles, Motion, D. McQuaid, Second, D. Prokowiew

COMMITTEE REPORTS:

Stormwater Task Force- Discussed how to incorporate GIS into Lunenburg; costs, process, professional requirements. P. Bertram noted that MRPC's Unified Planning Work Program has money available to work on a GIS application for stormwater.

Town Manager Search Committee- No report

Agricultural Commission- Meeting August 18th

Building Reuse Committee- Meeting August 15th with firms that responded to request to study the market analysis.

Capital Planning Committee- no report

School Building Committee- meeting August 10th

Green Community Task Force (GCTF)- Received three bids for primary school and library lighting upgrades. Accepted a bid from DMH Electric, LLC, Sterling, MA.

MJTC- no report

MRPC- MRPC will be collecting data in early 2017 for a community trail brochure. Discussion of possible change to monthly meeting date for better member attendance.

Open Space Ad Hoc Committee- no report

DEVELOPMENT STATUS REPORTS: no report

DIRECTOR'S ITEMS:

1026 Northfield Road- Endorse Decision- Scenic Road Decision endorsed by Board. Applicant will file with Registry of Deeds.

NOTICES & COMMUNICATIONS: none

MEETING SCHEDULE:

August 22- 6:30 PM, Middle-High School, agenda item- vote to accept withdrawal of Highfield Village application; 7:00 PM- Special Town Meeting, Middle-High School

September 12-
Discussion of Board Goals

September 26

BOARD COMMENT/CONCERNS:

D. McQuaid noted that if STM votes to repeal the Whalom Overlay District, the Board needs to be prepared to begin work immediately on crafting the new bylaw.

ADJOURNMENT: 10:00 PM

Documents used at meeting:
Minutes
07/25/16
07/25/16, 1026 Northfield Road
07/25/16, Zoning Warrant Articles
1026 Northfield Road- Decision